



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/624,507      | 07/23/2003  | Keith Baker          | T01073-0006-US      | 7404             |

27871 7590 07/20/2006

BLAKE, CASSELS & GRAYDON LLP  
BOX 25, COMMERCE COURT WEST  
199 BAY STREET, SUITE 2800  
TORONTO, ON M5L 1A9  
CANADA

|          |
|----------|
| EXAMINER |
|----------|

SORRELL, ERON J

|          |              |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

2182

DATE MAILED: 07/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/624,507

Applicant(s)

BAKER ET AL.

Examiner

Eron J. Sorrell

Art Unit

2182

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3 and 6-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 1-3 and 6-15 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

DETAILED ACTION

*Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1,2,6,9-11, and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Pascolini (US Pub. No. 2002/0069300).

3. Referring to apparatus claim 1, Pascolini teaches a data terminal equipment (DTE) comprising,

a port (see paragraph 14 on page 1);

at least one signal line connected to the port to establish a communication path (see item 215 in figure 2);

a set of transceivers, each transceiver being associated with a respective circuit in the DTE to establish communication along the communication path in accordance with a selected protocol (see items labeled 225a-d in figure 2);

Art Unit: 2182

a switch in each of at least one signal line, each of the switches having a set of connections with each of the transceivers (see items labeled 230n and paragraph 28 on page 2); and

and interface controller providing a control signal to condition the switches to connect all of the signal lines with a connection associated with a selected one of the transceivers to thereby connect the port to selected ones of the circuits in the DTE to accommodate a selected protocol (see paragraph 29 on page 2), wherein the port connects to a corresponding port of a data circuit terminating equipment (DC) to effect communication between the DTE and DCE according to a specified protocol (see paragraph 20 on page 2).

Pascolini further teaches the DCE includes a protocol identifier for providing an identification signal to the signal interface controller indicative of the selected protocol (see paragraph 20 of page 2). Pascolini determines which pins are active in the port and uses that information as the identification of which protocol is required; hence these active pins serve as the identifier.

Art Unit: 2182

4. Referring to claim 2, Pascolini teaches the selected protocol is defined by one of a plurality of electrical interface standards (see paragraph 18 on page 2).

5. Referring to claim 6, Pascolini teaches the interface controller provides the control signal to the switches, the control signal being dependent of the identification signal (see paragraph 29 on page 2).

6. Referring to claims 9 and 15, Pascolini teaches an interface system for coupling a plurality of signals between a DTE and a DCE via a plurality of communication paths, said system having:

a DTE port having at least one signal line to establish one of said plurality of communication paths, said DTE having a set of transceivers each associated with a respective circuit in said DTE to establish communication along said communication path in accordance with a selected protocol (see paragraph 8 on page 1);

a DCE port having at least one signal line to establish one of said plurality of communication paths, said DTE having an interface driver circuit to establish communication along said

communication path in accordance with said selected protocol  
(see figure 2 and paragraphs 17 and 18 on pages 1 and 2);

a switch in each of said signal lines, each of said  
switches having a set of connections with each of said  
connections associated with a respective one of said  
transceivers (see paragraph 28 on page 2); and

a control signal to condition said switches to connect all  
of said signal lines with a connection associated with a  
selected one of said transceivers (see paragraph 29 on page 2).

Pascolini further teach the DCE includes a protocol  
identifier for providing an identification signal to the signal  
interface controller indicative of the selected protocol (see  
paragraph 20 on page 2). Pascolini determines which pins are  
active in the port and uses that information as the  
identification of which protocol is required; hence these active  
pins serve as the identifier.

7. Referring to claim 10, Pascolini teaches the plurality of  
paths includes a plurality of connector pins (see paragraph 17  
bridging pages 1 and 2).

8. Referring to claim 11, Pascolini teaches the DTE connector  
and DCE connector include a minimal number of predetermined

Art Unit: 2182

connector pins, wherein said minimal number of predetermined connector pins is determined by any one of said plurality of electrical interface standards having the greatest number of signals needed for communication (see paragraphs 20-27 on page 2).

9. Claims 3 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pascolini in view of How Networks Work by Frank J. Derfler and Les Freed (hereinafter "Derfler").

10. Referring to claims 3 and 12, Pascolini fails to teach the plurality of electrical interface standards includes, but not limited to EIA/TIA-232, EIA/TIA-449, EIA/TIA-530, EIA/TIA-530A and IEEE 1284 and fails to teach the port corresponds to a corresponding port of a DCE to effect communication between the DTE and DCE via the selected protocol.

Derfler teaches, RC-232 is the most common type of communication circuit in use today and further teaches that a DTE is usually connected to a DCE (see second and third full paragraphs on page 49).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the system of Pascolini with the above teachings of Derfler. One of

Art Unit: 2182

ordinary skill would have been motivated to make such modification because RC-232 is well known and widely used in the art as suggested by Derfler.

11. Claims 7,8,13, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pascolini in view of Yu (U.S. Patent No. 5,081,627).

12. Referring to claim 7,8,13, and 14, Pascolini fails to teach the system further comprising a power controller for controlling electrical power to the switches depending on whether the port is coupled to the DCE thereby reducing power consumption by the DTE and Pascolini fails to teach a power controller enabling the DCE coupled to the port after the selected protocol has been determined.

Yu teaches, in an analogous system, the above limitations (see paragraph bridging columns 3 and 4).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the system of Pascolini with the above teachings of Yu. One of ordinary skill in the art would have been motivated to make such modification so the DCE would not require a its own power supply, thereby reducing the cost of the system.



*Response to Arguments*

13. Applicant's arguments with respect to claims 1,9, and 15 have been considered but are not persuasive.

The applicant argues that Pascolini fails to teach the identification signal of claim 1, and that Pascolini does not avoid the step of checking the active pins to determine which protocol is required.

As per argument 1, the Examiner disagrees. Pascolini determines which pins are active in the port and uses that information as the identification of which protocol is required, hence these active pins serve as the identifier. (see paragraph 20 on page 2). Also, the Examiner notes that there is no recitation in the claims that states how the protocol is identified, or *requiring that certain steps not be performed or avoided as argued by the applicant* (emphasis added). Furthermore the invention as claimed by the applicant would require some determination to be made to correlate the identifier to one of many possible protocols.

Art Unit: 2182

*Conclusion*

14. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eron J. Sorrell whose telephone number is 571 272-4160. The examiner can normally be reached on Monday-Friday 8:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Huynh can be reached on 571-272-4147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2182

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

EJS  
June 27, 2006



KIM HUYNH  
SUPERVISORY PATENT EXAMINER

6/27/06